

FORM PTO 1390  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

OCIRS-073

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/936454

INTERNATIONAL APPLICATION NO.  
PCT/US00/07330INTERNATIONAL FILING DATES  
20 MARCH 2000PRIORITY DATE CLAIMED  
18 MARCH 1999

TITLE OF INVENTION TRANSGENIC PLANTS HAVING IMPROVED FLAVOR PROPERTIES

APPLICANT(S)  
FOR DO/EO/US

Nilgun E. TUMER, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371 (f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (Executed)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. w/PTO-1449, 15 references
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Copy of International Application as published

Copy of International Search Report

Three (3) Sheets Formal Drawings

**EXPRESS MAIL LABEL NO. EL804522300US****DATE: September 13, 2001**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) **097/936454** INTERNATIONAL APPLICATION NO. PCT/US00/07330 ATTORNEY'S DOCKET NUMBER OCIRS-073

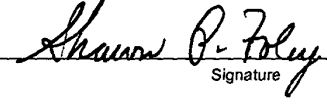
17. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b> PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>					
<input type="checkbox"/>	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . .			\$1,000.00	
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .			\$860.00	
<input type="checkbox"/>	International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .			\$710.00	
<input checked="" type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .			\$690.00	
<input type="checkbox"/>	International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .			\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>690.00</b>	
Surcharge of <u>\$130.00</u> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	36 - 20 =	16	x \$18.00	288.00	
Independent claims	7 - 3 =	4	x \$80.00	320.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+ \$270.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>1,298.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>-649.00</b>	
<b>SUBTOTAL =</b>				<b>649.00</b>	
Processing fee of <u>\$130.00</u> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +					
<b>TOTAL NATIONAL FEE =</b>				<b>649.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) ( \$40.00 per property). +					
<b>TOTAL FEES ENCLOSED =</b>				<b>649.00</b>	
				<b>Amount to be:</b>	
				<b>Refunded</b>	
				<b>Charged</b>	

- a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 12-1095 in the amount of \$ 649.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to my Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

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Signature  
**SHAWN P. FOLEY**  
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097/936454